

# THE EARL OF DERBY'S CASE,

Stated for the Vindication of the Proceedings at Law in the

ISLE of MAN,

against

WILLIAM CHRISTIAN.

The Earl of  
Derby's Title to the  
Isle of Man.



That the Lords of the Isle of Man were sometimes H. Third and his Son King Edward the First, and after took it in the Reign of King Edward the Third, and Second, on whose behalf Sir William le Scrope kept whose death King Henry the Fourth in the first year in the seventh year of his Reign; and in that year, thereof, and all Royalties, Regalities, Liberties and Stanley Knight, from whom by hereditary descent the seventh year of King James, that Isle is established and confirmed to late Earl of Derby Father to the now Earl, and the Heirs males of his body, the Remainder to the right Heirs of James Earl of Derby for ever.

The crimes  
of William  
Christian.

That William Christian being born in the Isle of Man, and having taken fidelity to the said James late Earl of Derby within the said Island, and and safety thereof, Did contrary to the Duty whereunto he stood bound by his oaths and trusts, and without any authority take advantage of the absence of James late Earl of Derby, who had then advanced his Forces out of the said Isle to serve His Majesty in England, did design a Insurrection against the Governour of the said Isle, and did Administer an oath of Secrecy to his confederates therein.

That in pursuance of such Designs, the Troop of Horse which was the Land-guard of the Isle, Ramsey and the Artillery there were taken, and several other places of strength besieged by the Orders of the said William Christian.

That by the sending out of Croffes, which is the way of raising the Forces of the Island, he made his House at Reynolds way the Head quarters for the Rendezvous of some Companies, and that others should take the Peele Castle and other Forts; And of all this Rising and Insurrection, William Christian made himself the Head.

That he falsely and maliciously insinuated into the People, that the Countess Dowager of Derby then being in the Island, would sell all the People in the Island at two pence or three pence a head, and thereby made a total Revolt of the People of the said Isle from the said Countess, and an adherence of them to himself against her, and all those that did continue of her party, and gave the People an Oath not to obey the said Countess, until she gave them such conditions as they desired.

That making himself Captain of the Insurrection, he besieged the said Countess of Derby in Castle Rushin, and enforced her thereby to enter into a Treaty for the surrender of the Island.

That he did send to the Parliaments Ships, giving them notice of the distractions of the Island, and that the People were for them, and that it would be their own if they would come and require it.

That he brought in the Parliaments Forces, and made Conditions for the Island without the consent of the said Countess, or of Sir Philip Musgrave Governor and General there.

That the said Countess was besieged by the Forces so brought in by the said William Christian, and plundered of all the Estate she had.

That in all, the said William Christian (without any Commission) acted for the Parliament against the said Isle, the Lord, Governour and People thereof, and was the head of their troubles, and cause of the loss of the Island, and of all His Majesties Interest and loyal Subjects there.

That for all these Treasons against the Lords of the said Isle, according to the Laws and Customs thereof, he was indicted and adjudged guilty of Treason, and upon the Petition of his Wife (by his Judges there, without the knowledge of the said Earl of Derby) his judgement changed from that of being drawn and hanged, (which is the judgement of Treason there) into a judgement of being shot to death, which was executed.

That the Earl of Derby was not in the Island when His Majesties Orders came thither, nor since, nor by the space of fifteen years before; nor was His Majesties Letter for the bringing of the said William Christian before His Majesty or Council obtained, before the execution of the said William Christian, which was upon the Second day of January, and His Majesties Letter did bear date the Sixteenth day of the same Moneth, and came not to the Earls hands till the Twenty sixth: The Earl of Derby therefore hopes that he cannot be held guilty of disobedience to the commands whereof he had no knowledge, either from the Lords of His Majesties Council here, or from the Officers of the said Island, who for any thing yet appearing, had not themselves any notice of the said Orders, or His Majesties pleasure therein in what concerned them, or the transmission of the proceedings against the said William Christian, whose many crimes they conceived were not pardoned by the Act of general Pardon, for that the Isle of Man is not therein named, as the Isles of Jersey and Garnesey, and the Town of Barwick are; and being governed by a distinct Law, Order and Process in matters Criminal and Civil, and the said Island not being taken antiently as a part of England, (though in homage and subjection to it) nor any Act of Parliament to make it so, they apprehended they were not then, or have been formerly bound by that, or any other general Act, wherein the Isle of Man is not particularly named.

That the Earl of Derby is no waies guilty of any disobedience to His Majesties Orders; and so soon as he heard the Persons sent for were not here, he immediately endeavoured to have them brought up, according as he shall at all times be ready to do his utmost in humble obedience to his Majesties commands.

The Earl of Derby also is so far from making benefit to himself of the said William Christian's Estate, that he hath given and annexed it to the Bishoprick of Man some Moneths since.

Vide Coke's  
Jurisdiction  
of Courts,  
cap. 69.  
fol. 284.